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MSAPC ADVISORY CIRCULAR

U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF AIR AND WATER PROGRAMS • OFFICE OF MOBILE SOURCE AIR POLLUTION CONTROL

A/C NO. 34

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Subject: Export Requirements for Light Duty Vehicles and Heavy Duty Engines

A. Purpose

The purpose of this Advisory Circular is to set forth EPA's policy under section 203(b)(3) of the Clean Air Act with respect to light duty vehicles and heavy duty engines intended for export to foreign countries.

B. Background

1. Section 203(b)(3) of the Clean Air Act subjects new motor vehicles and engines, intended solely for export, to the prohibitions of section 203(a), except that if the destination country has different emission standards, such vehicles or engines must comply with the destination country's standards.

2. In the past, EPA has taken the position that under section 203(b)(3) the prohibitions of section 203(a) are not applicable to new vehicles and engines shipped to countries with emission standards different from U.S. emission standards. However, because several countries did not respond adequately to EPA's inquiries concerning what emission standards they presently require or plan to implement, manufacturers were still uncertain as to which export vehicles were required to be certified for conformity with EPA's emission standards.

C. Policy

In order to eliminate this uncertainty, EPA sets forth the following export policy under the authority of section 203(b)(3) of the Clean Air Act.

Vehicles and engines intended solely for export are subject to the provisions of section 203(a) if:

(1) The destination country has emission standards identical to US EPA standards; and

(2) Such country has so notified EPA.

Countries having no standards are to be deemed countries having standards different from EPA standards.

D. Applicability

This Advisory Circular is effective for model year 1974. On the basis of information received by EPA as of this date, only Canada meets the criteria set forth above. The practical effect of this determination is that, for model year 1974, only those export vehicles and engines shipped to Canada need be certified by the US EPA.

Mobile Source Enforcement Division